

10:25 a.m. thanks more for the cops when you get me locked up

10:21 a.m. Your is too

10:19 am: U think I'm playing. Play with the cops and u will never hoe or work again

I have keys
10:17 am

Two taps I can see every word even your number and I got more. Just leave me alone and stop lying to the cops. I'm not going to fuck you until I get lock up for no reason
[TEXT BENNEATH NAKED PHOTOS OF ME]
(12/21 time unidentified sometime between 6:37 and 10:17 am)

U see that window that's your house. Just leave me alone please I don't want to be with someone that wants to get me locked up. Plus Hoeing
[TEXT BENNEATH NAKED PHOTO OF ME]
(12/21 time unidentified sometime between 6:37 and 10:17 am)

6:37 am: lets have make up sex my dick is rock hard

12/21/10

10:33 pm: warren rob warren rob warren rob they going to love me
speed dial ur sad broke and a hoe. ur a loser
mommy and big bro will love my info. And I saw your speed dial u got two guys on
10:31 pm: its your word against mine lets play I got pi and everything else. Daddy and

10:25 pm: so they will love all the great things I got to show them

10:02 pm: Yea if you say so Hoe: Everybody is going to know

9:46 PM: I will turn your life upside down one I'm in jail.

2/2 everything. And calling warren once I get locked up.
locked up for no reason. When I get locked up I'm showing and telling
1/2 Chalupa u fucking with this dude: but you on my back about girls. trying to get me

12/20/10

1d 71 #

10:28 Not when they see what I got and the people who will come downtown to help me

10:32 that paper will

12/22:

9:02 a.m.: Did you pay my car note

9:20 a.m.: I was making a lot of money when I had my car. How u think I saved your ass so many times. When u had no money. I would love it if u can pay my car note like you said u would but if not we can go 310 310 = 620 or I can pay it by myself just the info. Please I need that car on the streets. I don't have to get my plate it kooool. I will wait until the weeks are up. ate the gym I'm taking a cab to my lot and going to the dmv to take back my plates

RESPONSE 9:30 a.m.: You ignore every holiday you spend hem with someone else including my birthday I can't wait till your car is gone

9:28 a.m.: when they take my car I'm telling every thing that on nifya

9:30 a.m.: once that go u know what's going to happen

9:30 a.m. RESPONSE: I am not talking to you until I get my phones and I'm warning you stay away from the DMV u have no right to conduct my business

10:07 a.m.: So get my car took of u want. Just know what's happens after. no order can stop me from talking.

RESPONSE: 10:10 a.m. I hate you for ruining me but I will survive you been doing me filthy for too long

10:16 a.m.: Hell no tell me how? other way around. Ruining you how? Ur selfish an i u fuck me with the cops or my car u will not survive because I'm going to really ruining u like u keep trying to do to me. But I'm going to OVER DOSE ON YOU. So give me the info or let's go half or pay the note. but that car is not going no where.

10:22 a.m.: I will never fuck you. But u fuck me so many times. So I'm not letting u get away no more. You know right from wrong so u fuck me I'm going hard. Please I love you so don't make me do this

CDR #

1 FAMILIY COURT OF THE STATE OF NEW YORK
2 CITY OF NEW YORK; COUNTY OF NEW YORK
3 In the Matter of a Family Offense
4 KELLY CATHERINE PRICE,
5 Petitioner,
6 -against-
7 RAHEEM POWELL,
8 Respondent,
9 Held:
10 60 Lafayette Street
11 Before:
12 HONORABLE LORI S. SATTLER, JUDGE
13 Appearances:
14 EDWARD GREENBERG, ESG,
15 Attorney for the Petitioner
16 WILLIAM O'HEARN, ESG,
17 Attorney for the Respondent
18 Also Present:
19 Kelley Price
20 Rahem Powell
21
22
23
24
25
Kittay S. Itzaxky
Official Court Reporter

Exhibit B page 1

Proceedings

1 COURT OFFICER: Six and Fourteen in the matter of

2 Price and Powell.

3 Counsel, Your appearance.

4 MR. GREENBERG: For the petitioner, Your Honor,

5 Edward C. Greenberg, 570 Lexington Avenue, New York, New

6 York.

7 Good morning.

8 COURT OFFICER: Raise your right hand.

9 (Whereupon, the following parties were sworn in

10 by the court officer.)

11 MS. PRICE: Kelly Catherine Price.

12 MR. POWELL: Rachem Powell.

13 THE COURT: Good morning, Your Honor.

14 You are entitled to have an attorney in this

15 proceeding. If you don't have an attorney, I can assign one

16 to represent you. You can also decide you would like to go

17 forward on our own without an attorney, or if you would

18 like, you can hire or consult with an attorney that you

19 would pick.

20 Do you want an attorney in this proceeding?

21 MR. POWELL: Yes.

22 THE COURT: What's your source of income at the

23 present time? Are you working?

24 MR. POWELL: Yes.

25 THE COURT: How much are you earning?

3
Exhibit B page 3

1 MR. POWELL: Like \$250 a week.

2 THE COURT: Are You a member of a union?

3 MR. POWELL: (No response)

4 (Whereupon, the following party was sworn in by

5 the court officer.)

6 DETECTIVE SIMMONS: Detective Linda Simmons,

7 shield number 2653 of the 28 Detective Squad.

8 THE COURT: Sorry to drag You in, Detective

9 Simmons, but I have a couple of questions, since I was

10 informed that You are here to arrest the petitioner.

11 DETECTIVE SIMMONS: We are here to pick her up

12 for another detective that will be arresting her.

13 THE COURT: Anything related to my case here?

14 DETECTIVE SIMMONS: It's between the two of them.

15 It's between the two of them and how she calls him and

16 threatens to have him arrested if he doesn't come see her.

17 (Whereupon, Mr. O'Hearn entered the courtroom.)

18 THE COURT: Mr. O'Hearn is going to be

19 representing the respondent.

20 Do you want to note your appearance.

21 MR. O'HEARN: William O'Hearn, 225 Broadway,

22 appearing for the respondent.

23 THE COURT: Okay. So he had a family offense

24 case at some point in time, but your order of Protection was

25 vacated when you didn't show up on March 9th.

Proceedings

1 MR. POWELL: I was on the wrong floor.
2 THE COURT: Did you file a motion?
3 MR. POWELL: No.
4 THE COURT: So are you picking her up for
5 violating the order?
6 DETECTIVE SIMMONS: She is going to be arrested
7 for aggravated harassment.
8 THE COURT: Okay, got you.
9 MR. GREENBERG: Your Honor, with respect to
10 Mr. Powell's claim that he was in the wrong room, I know
11 Your Honor is very busy and doesn't remember this case, but
12 this case --
13 THE COURT: No, I actually remember it.
14 MR. GREENBERG: Good. Then Your Honor will
15 remember that we delayed to call this case for quite some
16 time because Mr. Powell was not here, and Your Honor called
17 the case at 11:02.
18 THE COURT: Your client wasn't here either on
19 that date, as I recall.
20 MR. GREENBERG: That's correct, and I expressed
21 concern about the safety of my client. So while the court
22 officer called the case at about 9:32, Your Honor didn't
23 hear it until about 11:00. This was a 9:30 case, so I don't
24 know how Mr. Powell couldn't have found his case within an
25 hour and a half.

Proceedings

#BPA

proceedings

5

THE COURT: His case was dismissed. He paid the consequence of not being here.

3 I think the bigger issue is your client is about to get arrested. And I am hearing that right now, and perhaps that makes me concerned about whether I actually need to continue an Order of Protection in this case, because he is not getting arrested, she is getting arrested.

4

5

6

7

8 Detectives investigated the stories?

9 Detective Simons: Yes.

10 THE COURT: And don't find her story to be credible?

11

12 Detective Simons: No.

13 MR. GREENBERG: We have a couple of competing

14 issues. Issue number one, and perhaps not the most

15 important, but I think it should be before Your Honor before

16 the case is discussed before you, no request was made of my

17 office to surrender Ms. Price, notwithstanding the fact that

18 I had lengthy conversations with detectives at the 28

19 precinct, including Detective Flowers, who is, presumably,

20 going to be the detective arresting Ms. Price today.

21 I had a conversation with Mr. Flowers for over

22 five minutes, and at no time did he ask me to bring

23 Ms. Price in, nor had any request been made to me or to

24 Ms. Price, either attorney to bring her in. She would have

25 been brought in and this exercise, perhaps, would have been

#13 ps

Proceedings

1 avoided or at least postponed. That's issue one, Your
2 Honors.
3 Number two, there was an Order of Protection
4 sought against Mr. Powell, whose acts of violence against
5 Ms. Price are well documented by hospital reports and so
6 forth. The detectives have come in here, and I understand
7 their responsibilities, as they see them, but they come in
8 here without any adjudication at all based on, solely, the
9 word of Mr. Powell, whom Your Honor has already awarded
10 orders of Protection against, presumably, because Your Honor
11 was satisfied.
12 THE COURT: Excuse me.
13 An ex-partner Order of Protection -- Everyone comes
14 in here and does an ex-partner the first time, and I -- This
15 is the first time I have the parties in front of me.
16 MR. GREENBERG: That's true.
17 Not all ex-partners, Ms. Price had been here
18 before.
19 MR. O'HEARN: The most recent one was ex-partner
20 because he didn't show up, but that's not the initial one.
21 There was evidence that satisfied Your Honor to issue an
22 Order of Protection, apparently, where Mr. Powell was here
23 on prior occasions.
24 MR. GREENBERG: My recollection, Your Honor, is
25 when I was here three or four weeks ago, Your Honor stated

#BPL

34 R (4/91)

COPY 1

Distribution & Routing Instructions

05-11-11	County	New York	Court	CRIMINAL	Part
Date of Next Court Appearance					
Understake that the defendant will appear in this action whenever required & will at all times render himself/herself amenable to the orders and processes of the court, and I acknowledge that the bail will be forfeited if the defendant fails to appear in this action, and that his/her next scheduled court appearance is at 9:30 A.M. on the date and place written below:					
OBTAINT SIGNATURE OF PERSON POSTING BAIL					
Name of Person Posting Bail (Printed)					
Occupation of Person Posting Bail					
RESIDENTIAL ADDRESS OF PERSON POSTING BAIL (including ZIP Code)					
60, BROADWAY, AIA, BROADWAY, NY 11211					
Signature of Employee Reciting Bail					
Facility Housing inmate					
Facility ID #					
Shelld or ID #					
Title					
Facility Recv'y Bail \$					
38181					
RCC					
C-10					
RMS, NY					

Defendant's Name (Last, First and M.I.)	Deckette #	Book & Case #	Offense(s)	Court	County	Name of Judge/Judge Who Set Bait	Last Court Date Bait Was Set	Bait Amount (Numerical)	Cash	Check or Money Order	Check for
FRICE, KELLY	3119032918	8961819M3471100788	215.50 (3)	NEW YORK	GE MINA L	ARR3A	05.06.11	\$ 2,000.00	WOO THOUSAND	DOLLAR(S)	If none, write "NONE".
<p>Defendant's Name (Last, First and M.I.)</p> <p>Deckette #</p> <p>Book & Case #</p> <p>Offense(s)</p> <p>Court</p> <p>County</p> <p>Name of Judge/Judge Who Set Bait</p> <p>Last Court Date Bait Was Set</p> <p>Bait Amount (Numerical)</p> <p>Cash</p> <p>Check or Money Order</p> <p>Check for</p>											

BAIL RECEIPT & NOTICE TO PERSON POSTING BAIL

TRAIGA ESTA NOTIFICACION CUANDO VENGAL TRIBUNAL.

EMITIDO PARA USTED.

SI USTED NO COMPARAEC, UNA ORDEN DE DETENCION PODRIA SER

ALA(S) 09:00 A.M./P.M.

USTED DEBE COMPARAECER AL TRIBUNAL EL 08/27/2013 EN LA
SALA SAP EN 346 BROADWAY

NUMERO DE INSCRIPCION: 2013SN053520

NOBRE DE EL ACUSADO: PRICE, KELLY C.

A VISO DE APLAZAMIENTO

CONDADO DE NEW YORK

TRIBUNAL CRIMINAL DE LA CIUDAD DE NEW YORK

BRING THIS NOTICE WITH YOU.

IF YOU FAIL TO APPEAR, A WARRANT MAY BE ISSUED FOR YOUR ARREST.

SAP 346 BROADWAY 09:00 A.M./P.M.

YOU ARE TO APPEAR IN COURT ON 08/27/2013 IN PART

DOCKET NUMBER: 2013SN053520

DEFENDANT NAME: PRICE, KELLY C.

ADJOURNMENT SLIP

COUNTY OF NEW YORK

CRIMINAL COURT OF THE CITY OF NEW YORK

Exhibit # 9 Page 1

LL R. Kavanaugh
Attorney for Client

W.W.C.
Client

Kenyia Wells
Assistant District Attorney
New York County
District Attorney
CYRUS R. VANCE, JR.

DATE: June 21, 2011
New York, New York

(3) This agreement is limited to the statements made by Client at the meeting held on this date, and does not apply to any oral, written or recorded statements made by Client at any other time. No understandings, promises, agreements, or conditions have been entered into with Client in connection with the prosecution, unless in writing and signed by all parties.

(2) Notwithstanding paragraph one, (a) this Office may use information derived directly or indirectly from Client's statements at the meeting for the purpose of obtaining leads to other evidence, and if any such evidence is developed, it may be used in any prosecution of Client; and (b) should any prosecution of Client be undertaken, this Office may use statement made by Client at the meeting and all evidence obtained directly or indirectly from Client in connection with the prosecution, or to rebut any evidence offered by or on behalf of Client in cross-examination should Client testify, or to rebut any evidence offered by or on behalf of Client in connection with the prosecution.

(1) Should any prosecutions be brought against Client by this Office, this Office will not offer as evidence in its case-in-chief any statement made by Client at the meeting, except in a prosecution for false statements or perjury.

With respect to the meeting of Kenyia Wells, an Assistant District Attorney in the Office of the District Attorney for New York County ("Office") with Kelly Price ("Client") to be held on the date of this memorandum, the following understandings exist:

DISCLOSING AGREEMENT

Exhibit 11 Page #1

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12/20/10

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including my birthday I can't wait till your car is gone
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stop me from talking.
RESPONSE: 10:10 am I hate you for ruining me but I will survive you been doing me
filthy for too long
10:16 am: Hell no tell me how? other way around. Ruining you how? Ur selfish an I
fuck me with the cops or my car u will not survive because I'm going to really ruining u
like u keep trying to do to me. But I'm going to OVER DOSE ON YOU. So give me the
info or let's go half or pay the note. but that car is not going no where.
10:22 am: I will never fuck you. But u fuck me so many times. So I'm not letting u get
away no more. You know right from wrong so u fuck me I'm going hard. Please I love
you so don't make me do this

11/16/12

I found his response really surprising, so it stood out in my mind. I don't remember when or in what circumstances I came to be telling Kelly Price the

it was strange but it indicated that, to some extent, his hands were tied. Price without the direct instruction of the District Attorney's office. He said never seen anything like it, but he/the police were told to not respond to Kelly Price from the situation. At that time, Captain Harris told me that he had was concerned because the young teenagers seemed to be learning the wrong being done to help Kelly Price, who everyone knew was being battered. I went up to him after one of these meetings and asked him why more was not invited attendees to speak with him personally about issues of concern. I After the formal meeting, the head of the station, Captain Rodney Harris, problem going away.

worked with us and the principal at the local school and facilitated the community officer. The police were very helpful, offered a lot of support and known there and to get further on-going support from the police and the block attended monthly meetings at the police station to make our issues and being somewhat threatening to others. As a result, a group of us from the out on 120th street vandalizing cars, the school yard, fighting in the streets problems on the street related to young teenagers from other blocks hanging In the spring and summer of 2011 and later in 2012, there were some neighbors.

I was a neighbor of Kelly Price when she lived at 237 West 120th Street. I am a manager in Con Edison where I have worked for over 26 years. I have approximately 70 employees in my chain of command. I lived on the street for over 12 years, walk my dog every day and know and get along with my neighbors.

To whom it may concern:

(212) 663-5372 (home)

N.Y. N.Y. 10027

231 West 120th Street

Marilyn Benetatos

17